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WASHINGT	ON, DC	20006	ART UNIT	PAPER NUMBER	
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		•		DATE MAILED: 03/04/2002	1

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner	<u> </u>		Application No.	Applicant(s)				
Joseph Nguyen 2815			09/908,941	HIRASE ET AL.				
Period for Reply A SHORTENDE STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estatewors die mer ply be available under the provisions of 3 CFR 1.136(a). In an event, however, may a neply be simily flied after 5X (5) ADDITION from the reading date and 15 CFR 1.136(a). In an event, however, may a neply be simily flied after 5X (5) ADDITION from the mailing date and 15 CFR 1.136(a). In an event, however, may a neply be simily flied after 5X (5) ADDITION from the mailing date and thirt (50) days a very provide the provide and the 10 CFR 1.136(a). In an event, however, may a neply be simily flied after 5X (5) ADDITION from the mailing date and the 10 CFR 1.136(a). 1 IN Operand for reply is specified beauth, the mailing replied will apply event in legislation to become AIDMICHIC flied 15 CFR 1.136(a). 1 IN Operand for reply is specified beauth, the mailing place of the communication to become AIDMICHIC flied 15 CFR 1.136(a). 2 In this action is FINAL. 2 In This action is provided the provided flied on the communication of the commun	•	Office Action Summary	Examiner	Art Unit				
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1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) as subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * ○ None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) Provisional application (PTO-152)	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any							
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U.S. Patent and Trademark Office PTO-326 (Rev. 04-01) Application/Control Number: 09/908,941

Art Unit: 2815

DETAILED ACTION

Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-2, drawn to a semiconductor device, classified in class 257, subclass 797 and wherein:
 - II. Claims 3-7, drawn to a method of manufacturing a semiconductor integrated circuit device, classified in class 438, subclass +1.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case unpatentability of the Group I invention would not necessarily imply unpatentability of the Group II invention, since the product of the Group I invention could be made by another and materially different process from that of the Group II invention. For instance, as an alternative in claim 3, selectively deposit an insulation in the element-partitioning trench and the mask-aligning trench without etching to remove some of the insulation in the mask alignment trench.
- 3. Because these inventions are distinct for the reasons given above, the inventions have acquired a separate status in the art because of their recognized divergent subject matter as shown by their different classification, the search required for Group II is not

Application/Control Number: 09/908,941

Art Unit: 2815

required for Group I, and separate examination would be required, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Nguyen whose telephone number is (703) 308-1269. The examiner can normally be reached on Monday-Friday, 7:30am-4: 30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on (703) 308-1690. The fax phone number for the organization where this application or proceeding is assigned is (703)-308-7382 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956

JN February 25, 2002

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800